

Message Text

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ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

DRAFTED BY H:RJMCCLOSKEY:MHS

APPROVED BY H:RJMCCLOSKEY

ARA:WROGERS (DRFT)

S:L BREMER PHONE

S/SO PJOHNSON

----- 008520

O 110321Z JUL 75 ZFF4

FM SECSTATE WASHDC

TO USDEL SECRETARY IMMEDIATE

S E C R E T STATE 163211 TOSEC 060091

NODIS

E.O. 11652: GDS

TAGS: OVIP

SUBJECT: ACTION MEMORANDUM -- PANAMA CANAL (S/S-NO.7514085)

FOR SECRETARY FROM MCCLOSKEY AND ROGERS

1. WE FACE TOUGH SLEDDING IN THE SENATE APPROPRIATIONS COMMITTEE AND ON THE FLOOR IN OVERTURNING THE SNYDER AMENDMENT. OUR TASK WILL BE ALL THE MORE DIFFICULT IF THE SENATE FAILS TO RECEIVE FROM THE PRESIDENT A CLEAR SIGNAL THAT THE EXECUTIVE DEPARTMENT AS A WHOLE IS MEETING THE CHALLENGE OF THE SNYDER AMENDMENT HEADON.

2. WE PROPOSE THAT THE PRESIDENT SEND THE FOLLOWING TO SENATOR SPARKMAN. THIS WOULD SET THE STAGE FOR OUR MORE ACTIVE PROGRAM ON THE HILL.

3. RECOMMENDATION:

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A) THAT YOU APPROVE THE ATTACHED DRAFT LETTER FROM

THE PRESIDENT TO CHAIRMAN SPARKMAN.

APPROVE DISAPPROVE

B) THAT YOU INSTRUCT SCOWCROFT TO ENGAGE THE WHITE HOUSE CONGRESSIONAL LIAISON STAFF IN MAKING ITS PRESENCE FELT ON THE HILL TO OPPOSE THE SNYDER AMENDMENT.

APPROVE DISAPPROVE

4. "I NEED YOUR SUPPORT IN OVERTURNING A CLEAR INFRINGE-
MENT ON THE PRESIDENT'S CONSTITUTIONAL RESPONSIBILITY FOR
TREATY NEGOTIATIONS WITH FOREIGN GOVERNMENTS. I REFER TO
THE ACTION TAKEN BY THE HOUSE OF REPRESENTATIVES ON
JUNE 26 IN PASSING A FLOOR AMENDMENT TO H.R. 8121 WHICH
WOULD PURPORT TO STOP OUR ONGOING NEGOTIATIONS WITH THE
REPUBLIC OF PANAMA BY PROHIBITING THE USE OF ANY STATE
DEPARTMENT APPROPRIATIONS FOR THAT PURPOSE.

5. THIS ACTION BY THE HOUSE NOT ONLY CONSTITUTES AN
ATTEMPT TO INTRUDE INTO THE CONSTITUTIONAL
RESPONSIBILITIES OF THE PRESIDENT TO MAKE TREATIES.
IT ALSO INVADES THE CONSTITUTIONAL ROLE OF THE SENATE
TO GIVE ADVICE AND CONSENT AS TO PROPOSED TREATIES MADE
BY THE PRESIDENT.

6. I AM CONFIDENT THAT THE SENATE WILL WISH TO
CONSIDER A NEW TREATY I MAY SUBMIT WITH PANAMA ON ITS
MERITS, AND THAT IT WILL DO SO DILIGENTLY AND
DELIBERATELY. AS YOU KNOW, NEGOTIATIONS WITH PANAMA
WERE INITIATED DURING THE ADMINISTRATION OF PRESIDENT
JOHNSON. ANY ACTION BY THE CONGRESS WHICH WOULD HAVE
THE EFFECT OF TERMINATING THESE NEGOTIATIONS NOW, AFTER
A DECADE OF SERIOUS PRESIDENTIAL NEGOTIATING EFFORT,
COULD ONLY BE VIEWED BY THE PANAMANIAN AS A BREACH OF
FAITH, AND WOULD LEAD TO A SERIOUS DETERIORATION OF OUR
RELATIONS WITH PANAMA AS WELL AS WITH OTHER LATIN
AMERICAN COUNTRIES.

7. I HOPE I CAN COUNT ON YOUR SUPPORT IN THIS MATTER."

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8. DRAFTED BY R. MC CLOSKEY; CLEARED BY W. ROGERS AND
L.P. BREMER.

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